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PATENT, TRADEMARK,  
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INTELLECTUAL PROPERTY LAW

July 6, 2005

Mail Stop Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate**

JUL 14 2005

**of Correction**

Re: U.S. Patent No.: 6,857,953 B2  
Issued: February 22, 2005  
Inventor: Dale G. Malott  
Our Docket: 35149US1

Sir:

A Certificate of Correction under 35 U.S.C. 254 is hereby requested to correct Patent Office printing errors in the above-identified patent. Enclosed herewith is a proposed Certificate of Correction (Form No. PTO-1050) for consideration along with appropriate documentation supporting the request for correction.

It is requested that the Certificate of Correction be completed and mailed at an early date to the undersigned attorney of record. The proposed corrections are obvious ones and do not in any way change the sense of the application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Michael W. Garvey

Name of Attorney for Applicant(s)

Signature of Attorney

C Jul 05

Date

JUL 18 2005

U.S. Patent No.: 6,857,953 *B2*

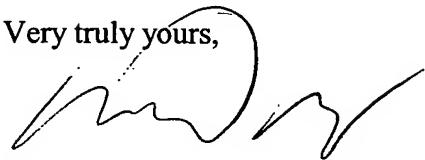
Issued: February 22, 2005

Atty. Docket No.: 35149US1

Page 2 of 2

We understand that a check is not required since the errors were on the part of the Patent and Trademark Office in printing the patent.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael W. Garvey".

Michael W. Garvey, Reg. No. 35878

MWG/jl  
Enclosures

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,857,953 *B2*  
DATED : February 22, 2005  
INVENTOR(S) : Dale G. Malott

PAGE 1 OF 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 1, claim 14, line 62, please delete "diverted".

MAILING ADDRESS OF SENDER: Michael W. Garvey  
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PATENT NO. 6,857,953  
No. of additional copies  
⇒ 0

JUL 18 2005

Appl. No. 10/725,675  
Amdt. Dated August 3, 2004  
Reply to Office action of May 4, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/725,675  
Applicant : Dale G. Malott  
Filed : December 2, 2003  
Title : RETURN AIR APPARATUS WITH DOWN DRAFT DIVERTER  
  
Conf. No. : 5048  
TC/A.U. : 3749  
Examiner : Harold Joyce  
  
Customer No. : 000,116  
Docket No. : 35149US1

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT "A"

Sir:

This amendment is filed in response to the Office action dated May 4, 2004 (Paper No. 4302004).

The three month period for responding to the Office action expires on August 4, 2004.

Please amend the above-identified application in the following manner.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Amendments to the Drawings** begin on page 11 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks/Arguments** begin on page 12 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Stephen S. Wentsler

Name of Attorney for Applicant(s)

A handwritten signature in black ink that reads "Stephen S. Wentsler".

August 3, 2004

Signature of Attorney/Date

JUL 18 2005

29       wherein air is discharge directly through the discharge opening of the return air  
→ 30       grille, when the down draft diverter is adapted to be moved with respect to the  
31       ceiling template to create an opening between the down draft diverter and the ceiling  
32       template such that air can be discharged directly through the direct discharge opening of  
33       the return air cover.

1           **Claim 8 (currently amended):** The return air apparatus of claim 7, wherein the  
2       down draft diverter has a rib on one surface that interacts with mating return air cover  
3       includes grooves spaced in interval on the return air cover for that are adapted to interact  
4       with the down draft diverter to facilitate maintenance of an opening between the down  
5       draft diverter and the ceiling template at predetermined degrees of openness.

1           **Claim 9 (currently amended):** The return air apparatus of claim 7, wherein the  
2       air barrier includes perforated sections providing tear off strips to allow sizing for various  
3       depth ceilings, and is wherein the air barrier is adapted for self-sealing to the air comfort  
4       appliance unit.

1           **Claim 10 (new):** The return air apparatus of claim 1, further comprising a handle  
2       including a portion extending adjacent an outer area of the first section of the return air  
3       grille.

1           **Claim 11 (new):** The return air apparatus of claim 10, wherein the portion of the  
2       handle is connected to the down draft diverter through the first section of the return air

Appl. No. 10/725,675  
Amtd. Dated August 3, 2004  
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interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35149US1.

Respectfully submitted,

PEARNE & GORDON LLP

By:   
Stephen S. Wentsler, Reg. No. 46403

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Date: August 3, 2004